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**UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS**

JUNG SOON LEE, (Deceased)
by SUNG YOUNG LEE, Personal
Representative,

Plaintiff,

vs.

DONG GUK CORPORATION,

Defendants.

CIVIL ACTION NO. CV 05-0031

**PLAINTIFF'S FIRST SET OF
INTERROGATORIES TO
DEFENDANT DONG GUK
CORPORATION**

TO: DONG GUK CORPORATION and G. Anthony Long, Attorney for Defendant

Plaintiff JUNG SOON LEE requests that Defendant DONG GUK CORPORATION answer under oath the attached interrogatories. Answers to the interrogatories must be served upon the undersigned within thirty (30) days after the service of these interrogatories on you. It is requested that you provide two (2) copies of the answers. These interrogatories are continuing, pursuant to FRCP 26(e), so as to require supplemental answers if you obtain or recall further information between the time the answers are served and the time of trial.

It is requested that answers be inserted in the space provided. If you need additional space to answer any interrogatory, please complete your answers on additional sheets showing the number of the interrogatory you are answering.

Should you or your counsel or anyone representing your interests learn of any additional

1 person or persons having knowledge relating to the matters inquired into after answering the
2 interrogatories and before trial, you are required to provide the names of the persons to the
3 undersigned, giving timely notice thereof, allowing Plaintiff to conduct discovery.

4
5 **I. INSTRUCTIONS AND DEFINITIONS**

6 1. These DISCOVERY REQUESTS are to be deemed continuing and YOU and
7 YOUR attorney are under a duty to supplement your responses if YOU or any of YOUR
8 employees, agents, or attorneys obtain additional information as to any of the matters inquired of
9 herein.

10 2. If YOU, as well as YOUR officers, agents, employees, and attorneys discover
11 additional information as to matters inquired of in this request for interrogatories, between the
12 time answers are made and the date of trial, supplemental answers shall be made informing the
13 offices of TORRES BROTHERS, LLC., ATTORNEYS AT LAW at the address and telephone
14 number listed on page 1 of these DISCOVERY REQUESTS as to the newly discovered
15 information.

16 3. If in responding to these DISCOVERY REQUESTS, YOU encounter any
17 ambiguity in constructing any request, instruction or definition, set forth the matter deemed
18 ambiguous and the construction used in responding. If for any reason additional space is
19 necessary in answering any Request, complete the answers on an additional sheet bearing the
20 same number as the number of the Request which is being answered.

21 4. In responding to this or these DISCOVERY REQUEST(S), YOU must make a
22 diligent search of YOUR records and other DOCUMENTS in YOUR possession or available to
23 YOU, including information which is in the possession of YOUR attorneys, investigators for
24 YOUR office, employees, representatives and agents, and not merely such information known to
25 YOU or YOUR own personal knowledge.

26 5. If a request for production has sub-parts, respond to each separately and in full
27 so that YOUR response is understandable. Do not limit YOUR response to the request as a
28 whole.

1 6. Each written response shall state, with respect to each item or category, that
2 inspection and related activities will be permitted as requested, unless the request is objected to,
3 in which event the reasons for objection shall be stated. If the objection is made to a part of an
4 item or category, the part shall be specified.

5 7. If any of the requests cannot be answered in full, please answer to the extent
6 possible, specifying the reasons for YOUR inability to answer the remainder and stating
7 whatever information or knowledge YOU have concerning the unanswered portion.

8 8. Throughout these requests, including the definition of terms, words used in the
9 singular include the plural. Whenever the word "or" appears herein, the meaning intended is the
10 logical inclusive "or", i.e. "and/or". Whenever the word "each" appears herein, the meaning
11 intended is "each and every".

12 9. State whether the information furnished is within the personal knowledge of the
13 person answering and, if not, the identity, if known, of each person of whom the information is a
14 matter of personal knowledge.

15 10. Where knowledge of information is requested, such request includes the
16 knowledge of information of Plaintiff, as well as her officers, agents, employees and attorneys.
17 If
18 more than one person is listed in answer to an interrogatory, each subsequent answer must
19 identify which person supplied that answer and all persons so listed must sign the answers under
20 oath.

21 11. If any of the DISCOVERY REQUESTS cannot be answered in full, please answer
22 to the extent possible, specifying the reasons for your inability to answer the remainder and
23 stating whatever information or knowledge you have concerning the unanswered portion.

24 12. "YOU" and "YOUR" include the person(s) to whom these requests are addressed,
25 and all of such person's predecessors, successors, assigns, agents, employees, attorneys, and
26 insurance companies, and each of them, and all other persons acting or purporting to act on
27 behalf of Plaintiff.

28 13. "PERSON" includes any natural person, firm, association, organization,

1 partnership, business, trust, corporation, or public entity.

2 14. "INCIDENT" means the event in which the Complaint alleges that Plaintiff served
3 alcoholic beverages after 2:00 a.m., opening Business Establishment after 2:00 a.m. and serving
4 alcoholic beverages to apparently intoxicated customer, which later caused a car crash that led to
5 the death of Sung Young Lee.

6 15. "SUBJECT LAWSUIT" means this lawsuit known and numbered as appears on the
7 cover of this document. It also means ¶¶ 5-17 of the Complaint.

8 16. Each of these definitions and instructions is hereby incorporated into each of the
9 Requests for Admission to which it pertains.

10 17. When YOU are asked to state the facts RELATING TO an allegation in any
11 pleading, please DESCRIBE IN DETAIL, as defined herein, the relevant facts including but not
12 limited to the date, time and specific location of each occurrence, and IDENTIFY, as defined
13 herein, each and every person(s) and/or entity who is a witness and any related documents.

14 18. If any of the requests for production cannot be answered in full, please answer to
15 the extent possible, specifying the reasons for YOUR inability to answer the remainder and
16 stating whatever information or knowledge YOU have concerning the unanswered portion.

17 19. For each of these DISCOVERY REQUESTS that is withheld under a claim of
18 privilege or work-product immunity, provide a statement under oath by a person having
19 knowledge setting forth as to each document to portion withheld:

20 (a) The number and subject of each paragraph of this request that seeks its
21 production;

22 (b) The name and title of the author(s);

23 (c) The name and title of each person to whom the document was addressed;

24 (d) The name and title of each person to whom a copy of the document was sent;

25 (e) The date of the document;

26 (f) The number of pages;

27 (g) A brief description of the nature and subject matter of the document;

28 (h) The identity of each person to whom the document, its content, or any portion

1 thereof is known or has been disclosed;

2 (i) The exact location of the original and each copy as of the date of receipt of this
3 request; and

4 (j) If the document is withheld on any ground other than privilege, each basis that
5 you contend justifies its withholding.

6 20. "IDENTIFY," "IDENTITY" or "IDENTIFICATION" as used in reference to a
7 natural person means that YOU are required to state the following information:

8 (a) the name of the person;

9 (b) their title both currently and if different, at the time of the incident, event, or
10 generation of a document;

11 (c) the street address, country, state and country of the person's current residence;

12 (d) the current "home" or residential telephone number of the person;

13 (e) the current of the last known employer, job title, business address and business
14 telephone number of the person; and

15 (f) with respect to the persons who were formerly employed by YOU, the last date of
16 such employment and the person's job title and business address on that date.

17 21. "IDENTIFY," "IDENTITY" or "IDENTIFICATION" as used in reference to any
18 entity other than a natural person means that YOU are required to state the following
19 information:

20 (a) The entity's full name; and

21 (b) The address of the entity's principal place of business, and each of its other
22 places of business or business facilities.

23 22. When YOU are asked to IDENTIFY a DOCUMENT, provide all the following
24 information known to you:

25 (a) Date it was prepared;

26 (b) Identities of its preparer;

27 (c) Identities of its recipients;

28 (d) Current location and custodian; and

1 (e) Description of contents, sufficient for a motion to produce.

2 23. "IDENTIFY," "IDENTITY" or "IDENTIFICATION" as used in reference to a
3 COMMUNICATION, means that YOU are required to state: the names of the persons
4 participating in the COMMUNICATION or present when the COMMUNICATION took place,
5 the exact, detailed, content of the COMMUNICATION, the building or other specific place in
6 which the PERSONS participating in the COMMUNICATION were located at the time of the
7 COMMUNICATION, the mode or method by which the COMMUNICATION occurred (e.g.
8 telephone, in person, via e-mail, etc.), and the date on which the COMMUNICATION
9 occurred.

10 24. The term "DOCUMENT" means, without limitation, the following items,
11 whether printed or recorded or reproduced by any other mechanical process, or written or
12 produced by hand, agreements, communications, state and federal governmental hearings and
13 reports, correspondence, telegrams, memoranda, summaries or records of telephone
14 conversations or interviews, diaries, e-mail or related computer generated message,
15 graphs, reports, notebooks, note-charts, plans, drawings, sketches, maps, summaries, or reports
16 of consultants, photographs, motion picture, film, brochure, pamphlets, advertisements,
17 circular, press releases, drafts, letters, any marginal comments appearing on any documents and
18 all other writings.

19 25. "PERSON" includes any natural person, firm, association, organization,
20 partnership, business, trust, corporation or public entity.

21 26. "WRITING" means handwriting, typewriting, word processing, printing,
22 photostating, photographing and every other means of recording upon any tangible thing, any
23 form of communication or representation, including letters, words, pictures, sounds or symbols
24 or combination thereof.

25 27. "RELATING", "RELATIVE TO" or "RELATED TO" includes referring to,
26 alluding to, responding to, concerning, connected with, commenting on, in respect to, about,
27 regarding, discussing, showing, describing, reflecting, analyzing, depicting or constituting.

28 28. "RELEVANT" is defined under the Rules of Evidence and that definition is

1 incorporated herein. Please note that information can be relevant without necessarily being
2 admissible.

3 29. "COMMUNICATION" means the transmission, interchange, or exchange of
4 thoughts, ideas, messages or information, by speech, signals, writing, code, satellite, computer,
5 letter (or other form of correspondence), memoranda, telecopy, telex, e-mail, telephone,
6 telegram, voice mail, face-to-face communication, or any other mode or method of
7 transmission regardless of format. Under this definition, "COMMUNICATION" may have
8 been contained, obtained or transmitted in any format, including but not limited to any
9 document as defined herein or any subpart or portion thereof.

10 30. When asked to "DESCRIBE IN DETAIL" an event or occurrence or particular
11 subject, YOU are asked to do more than merely state a conclusion. YOU are being asked,
12 among other things, to state the particular facts that YOU intend to submit through witnesses or
13 DOCUMENTS at trial on the subject matter contained in the question. Among other things,
14 YOU are being asked to IDENTIFY all COMMUNICATIONS REGARDING the event,
15 occurrence or subject and state what action YOU took RELATED TO the event, occurrence or
16 subject, the date(s) YOU took such action, and the reason YOU took such action. YOU are
17 asked to state all of the facts that support YOUR conclusions, answering who was involved,
18 what happened with respect to the subject, why YOU believe it happened, where it happened,
19 and how it happened.

20 31. When asked to state "ALL FACTS" pertaining to a particular subject YOU are
21 asked to do much more than merely state conclusions. YOU are asked to DESCRIBE IN
22 DETAIL as defined herein who are involved or present when the facts occurred, what they or
23 YOU did, why YOU or they acted as YOU or they did, how this situation came about and
24 where YOU or the third PERSON were when the facts occurred. YOU are asked to state
25 specifically all the facts that support YOUR claims or beliefs, not conclusions. If YOU claim
26 that something occurred, please state why YOU believed it occurred, why YOU acted as YOU
27 did, what happened to make YOU act the way YOU did, and IDENTIFY the PERSON who
28 caused YOU to act the way YOU did.

II. INTERROGATORY

Interrogatory # 1. Have any persons made statements, written or otherwise, while being interviewed by anyone on YOUR behalf including YOUR attorneys, in connection with the INCIDENT and/or SUBJECT LAWSUIT?

Interrogatory # 2. If the answer to the preceding interrogatory is in the affirmative,

- (1) state the name and address of the maker of each statement and whether such statement is in writing;
- (2) if the statement is not in writing, please provide a summary of each statement made by the maker;
- (3) state the date of the maker of each statement whether or not the statement was in writing;
- (4) state who the maker made statements to and who were present at the time the maker made statements;
- (5) and state the location on where the maker made statements.

Interrogatory # 3. Please provide a list of YOUR agents or employees who were working or present any time during 10:00 p.m. on August 01, 2004 to 7:00 a.m. on August 02, 2004.

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3 Interrogatory # 4. Did YOUR agents or employees served alcoholic beverages to Jung Soon
4 Lee (Deceased) on August 02, 2004?

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8 (1) If yes, please state the time the alcoholic beverages were served,
9 type of alcoholic beverages served and the amount of each
10 alcoholic beverages served.
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15 Interrogatory # 5. Did YOUR agents or employees served alcoholic beverages to customers
16 on August 02, 2004 after 2:00 a.m.?
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21 (1) If yes, please state the names of the customers, time the alcoholic
22 beverages were served, type of alcoholic beverages served and the
23 amount of each alcoholic beverages served.
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28 Interrogatory # 6. Please provide a list of all YOUR customers who were present at any time

1 during 10:00 p.m. on August 01, 2004 to 7:00 a.m. on August 02, 2004.
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6 Interrogatory # 7. Please provide the month, day and year YOUR business started selling
7 alcoholic beverages?
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12 Interrogatory # 8. Have YOU ever served alcoholic beverage to YOUR customers between
13 2:00 a.m. to 7:00 a.m. since YOUR business started selling alcoholic
14 beverages?
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19 Interrogatory # 9. As part of your business hours, please state the time in which YOU begin
20 to take orders and/or begin to serve alcoholic beverages and the time you
21 stop serving alcoholic beverages.
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26 Interrogatory # 10. If the answer to Interrogatory # 6 is in the affirmative, please provide a list
27 of YOUR agents or employees who served or witnessed your agents or
28 employees serve alcoholic beverages between 2:00 a.m. to 7:00 a.m. to

1 your customers.

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3 Interrogatory # 11. Please provide names, phone numbers and address of all your customers
4 who had ever been served alcoholic beverages between 2:00 a.m. to 7:00
5 a.m.
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10 Interrogatory # 12. Please provide the total amount of sales generated on August 01, 2004 and
11 August 02, 2004.
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16 Interrogatory # 13. Please state in detail YOUR policy and procedure regarding serving
17 alcoholic beverages to your customers.
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22 Interrogatory # 14. Please state the name, address and telephone number of all persons who
23 have knowledge of RELEVANT facts concerning this INCIDENT and/or
24 SUBJECT LAWSUIT.
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1 Interrogatory # 15. Please STATE IN DETAIL everything YOU did to prevent the
2 INCIDENT.

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7 Interrogatory # 16. Please STATE IN DETAIL, what (if anything) could YOU have done to
8 prevent the INCIDENT?

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13 Interrogatory # 17. Please IDENTIFY by name, address and telephone number each person
14 whom YOU expect to call as an expert witness at trial.

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19 Interrogatory # 18. Please IDENTIFY each and every individual YOU intend to call as a
20 witness at the time of trial and summarize what YOU expect the substance
21 of his or her testimony will be.

1 Interrogatory # 19. Please IDENTIFY the name, address and telephone number of each person
2 with RELEVANT knowledge of the facts which made the basis of YOUR
3 answer.

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9 Interrogatory # 20. Please identify all statements and DOCUMENTS, written or recorded
10 documents, notes (including but not limited to photographs, films,
11 sketches, drawings, reports, diagram, model, recording, witness or expert
12 statements, private investigator reports, computer generated program or re-
13 enactment, audio-visual, slide show or video types) anyone, including
14 employees, employers, has made or presented to YOU concerning
15 Plaintiffs' allegations in the Complaint.

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19 DATED: ____/____/____.

20 TORRES BROTHERS, LLC.

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22 VICTORINO DLG. TORRES
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